

House Committee Hearings: Scheduling and Notification

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Summary

Each House committee has the authority to hold hearings whether the House is in session, has recessed, or has adjourned (Rule XI, clause 2(m)(1)(A)). Regardless of the type of hearing, or whether a hearing is held in or outside of Washington, hearings share common aspects of planning and preparation.

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Each House committee has the authority to hold hearings whether the House is in session, has recessed, or has adjourned (Rule XI, clause 2(m)(1)(A)). Regardless of the type of hearing, or whether a hearing is held in or outside of Washington, hearings share common aspects of planning and preparation.

Whether to Schedule a Hearing

Committees consider a variety of issues in deciding whether to schedule a hearing. A committee must define the information it needs and determine the points it wishes to communicate, then evaluate whether a hearing is the best method of achieving these ends. Deciding whether to schedule a hearing is influenced by several factors, including the salience of issues to the nation, presidential initiatives, matters of significance to particular committee members, and the importance of policies to constituents and interest groups. Programs requiring reauthorization generally require committee hearings, as do allegations of waste, fraud, or abuse in agency activities.

Each committee receives dozens or even hundreds of legislative proposals for possible examination and has other responsibilities such as oversight. In the context of this overall workload, a committee must decide whether holding a hearing is the best use of staff resources and funds. A committee also considers whether and how a hearing would fit into its overall schedule of planned activities.

Scheduling Requirements and Practices

The committee chair generally exercises control over the hearing schedule and determines the agenda. However, a variety of rules and other factors affect the scheduling of a hearing. Many of these rules and related practices are designed to coordinate committee hearings with other committee meetings or House sessions to minimize interruptions of deliberations and scheduling conflicts for Members in order to maximize their participation.

House committees may hold hearings at any time except during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress (Rule XI, clause 2(i)). The rules adopted by many committees contain provisions requiring subcommittee coordination in scheduling hearings.

Paramount in scheduling a hearing is choosing a date and time convenient for committee leaders. A committee must also check the availability of its hearing rooms before scheduling a hearing. If a committee's own rooms are unavailable, it may be possible to borrow a room from another committee or a House leader or officer.

Joint or field hearings may present additional scheduling issues. Each House committee or subcommittee may conduct hearings jointly with another committee or subcommittee of the House or Senate. Panels meeting jointly must agree on common rules of procedure and determine logistical questions, such as coordinating meeting times. Similarly, a committee or subcommittee may hold field hearings outside Washington. Scheduling issues include choosing a desirable time for committee members to travel and securing a meeting room on location.

Notification Requirements and Practices

The chair of a committee (except the Rules Committee) must give at least one week's notice to the public of the date, place, and subject of a hearing (Rule XI, clause 2(g)(3)). (Committees often

include additional information, such as scheduled witnesses.) Hearings may be held with less than one week's notice if the chair, with the concurrence of the ranking minority Member, determines a need. The notice requirement may also be waived by a majority vote of the committee with the required quorum for doing business present (under House rules, not less than one-third of the committee.) In these instances, public notice of the hearing should be given as soon as possible. These notices appear in the Daily Digest section of the *Congressional Record* and are to be made available in electronic form.

Often a committee sends advance announcements of a hearing to all its members. Some committee rules also require that specific pre-hearing information be sent to committee members or be made available to the public. For instance, several committees require staff to prepare a concise summary of the subject matter under consideration for committee members. House Natural Resources Committee rules specify that committee members are to be provided with a tentative witness list and, to the extent practicable, a memorandum explaining the subject matter of the hearing, including relevant legislative reports and other necessary material. In addition, the chair is to make available to committee members any official reports from departments and agencies on the subject matter of the hearing.¹

Author Information

Christopher M. Davis
Analyst on Congress and the Legislative Process

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This report was written by Thomas P. Carr, formerly an analyst at CRS.

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¹ For a collection of committee rules, see U.S. Congress, House, Committee on Rules, *Rules Adopted by the Committees of the House of Representatives*, committee print, 112th Cong. 1st sess. (Washington: GPO, 2011), <http://www.gpo.gov/fdsys/pkg/CPRT-112HPRT68512/pdf/CPRT-112HPRT68512.pdf>.